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OCT 18 2005

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### Fax Cover Letter

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### Message

In re Application of: Marek Stephen Pierkarski, et al.

Application No. 09/850,320

Examiner: Dmitry Levitan, Group Art Unit: 2662

Attached for filing, please find the following documents:

1. Transmittal Form PTO/SB/21
2. Fee Transmittal in duplicate
3. Supplemental Request for Two-Month Extension of Time; and
4. Notification of Loss of Entitlement to Small Entity Status.

You may contact us at (713) 221-1491 if you have any questions.

Denver S. Bisignano

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NO. 1316 P. 2

OCT 18 2005

PTO/SB/21 (08-04)

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TRANSMITTAL  
FORM

(To be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/850,320
Filing Date	May 7, 2001
First Named Inventor	Marek Stephen Piekarski, et al.
Art Unit	2662
Examiner Name	Dmitry Levitan
Total Number of Pages in This Submission	5
Attorney Docket Number	058232.0003

## ENCLOSURES (Check all that apply)

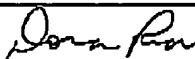
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): (See Remarks)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Remarks	
	1. Fee Transmittal authorizing payment of balance (\$225) of Two-Month Extension of Time for large entity; 2. Supplemental Request for Two-Month Extension of Time; and 3. Notification of Loss of Entitlement to Small Entity Status,	

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Bracewell & Giuliani LLP (Customer No. 35979)		
Signature			
Printed name	James E. Bradley		
Date		Reg. No.	27,536

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Dora Rios	Date	10-18-2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04v2)

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL For FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

225

Complete If Known	
Application Number	09/850,320
Filing Date	May 7, 2001
First Named Inventor	Marek Stephen Piekarski, et al
Examiner Name	Dmitry Levitan
Art Unit	2862
Attorney Docket No.	068232.0003

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## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 500259 Deposit Account Name: Bracewell & Giuliani LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments

Under 37 CFR 1.16 and 1.17

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## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	0
Design	200	100	100	50	130	65	0
Plant	200	100	300	150	160	80	0
Reissue	300	150	500	250	600	300	0
Provisional	200	100	0	0	0	0	0

## 2. EXCESS CLAIM FEES

## Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Small Entity Fee (\$)	Fee (\$)
0	- 20 or HP =	0	x 0 =	50	25
				200	100
				360	180

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
0	- 3 or HP =	0	x 0 =	0		

HP = highest number of independent claims paid for, if greater than 3.

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	0	0

## 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Supplemental Request for Two-Month Extension of Time for Large Entity

Fee Paid (\$)  
0

\$225

## SUBMITTED BY

Signature

Name (Print/Type)

James E. Bradley

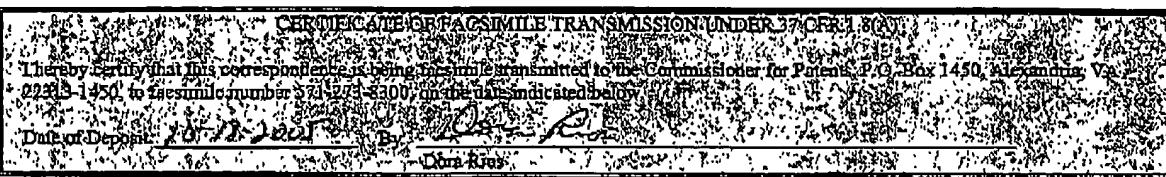
Registration No.  
(Attorney/Agent) 27,536

Telephone 713-221-3301

Date Oct 18, 2005

This collection of information required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## IN THE UNITED STATES PATENT &amp; TRADEMARK OFFICE

IN RE APPLICATION OF

Marek Stephen Piekarski, et al.

DOCKET NO. 068232.000003

APPLICATION NO.: 09/850,320

EXAMINER: Dmitry Levitan

FILED: 05/07/2001

GROUP ART UNIT: 2662

TITLE: Data Switch and a Method for  
Controlling the Data Switch

CONFIRMATION NO. 1705

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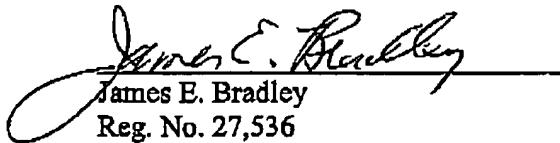
NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS IN  
COMPLIANCE WITH 37 CFR 1.27(g)(2)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Assignee of the present application is no longer entitled to small entity status. This notification is provided in accordance with 37 CFR 1.27(g)(2) prior to paying the issue fee. In the event any additional fees are deemed necessary, the Commissioner is authorized to charge the deposit account of Bracewell & Giuliani LLP, deposit account no. 50-0259, attorney docket no. 068232.003.

Respectfully submitted,

Date: Oct 18, 2005


James E. Bradley  
Reg. No. 27,536

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